

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Civil Action No. 5:24-cv-00644

MARK KEITH ROBINSON,,

Plaintiff,

v.

CABLE NEWS NETWORK, INC., and
LOUIS LOVE MONEY,

Defendants.

NOTICE OF MOTION

Comes Now Defendant Louis Love Money, through counsel, and per LR 5.3(c), and gives notice that it had at the time of removal pending a Motion to Dismiss. The Motion is pursuant to Rule 8 and 41 of the North Carolina Rules of Civil Procedure, which governed the action at the time of filing (before removal). Mr. Robinson violated Rule 8 in its initial pleading by asking for \$50,000,000. He doubled down, holding a press conference, with his attorney, making a spectacle of his \$50,000,000 demand. After being called out by Money's motion, he amended the Complaint to conform with the pleading requirements, but he tripled down by having his campaign publicize that the amendment was due to "legalese" and he was still seeking \$50,000,000. Because Courts handle serious disputes amongst parties, not political theatre by a losing gubernatorial candidate, this case should be dismissed.

The briefing and motion are at ECF No. 1 at # 22 and 23. Money reads LR 5.3(c) as indicating that he should not file an answer or otherwise respond as this Motion was pending at the time of removal.

This, the 23rd day of November 2024.

/s/ Andrew L. Fitzgerald

Andrew L. Fitzgerald
N.C. State Bar No. 31522
FITZGERALD HANNA & SULLIVAN, PLLC
119 Brookstown Avenue, Suite 402
Winston-Salem, NC 27101
Telephone/Fax: 336-793-4696
andy@fhslitigation.com

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed this NOTICE OF Motion with the Clerk of Court using the CM/ECF system, which will send notification to all attorneys of record as follows:

Anthony J. Biller
Envisage Law
2601 Oberlin Rd, Ste 100
Raleigh, NC 27608
Phone: (919) 755-1317
ajbiller@envisage.law

Counsel for Plaintiff

Peter D. Zellmer
Peter D. Zellmer, PLLC
421 N. Edgeworth Street
Greensboro, NC 27401
Phone: (336)274-1168
Peter.Zellmer@zellmerlegal.com

Co-Counsel for Louis Love Money

Jason C. Greaves
Jesse Binnall
Binnall Law Group, PLLC
717 King Street, Suite 200
Alexandria, VA 22314
Phone: (703) 888-1943
jason@binnall.com
jesse@binnall.com

Counsel for Plaintiff

Mark A. Nebrig
Kaitlin M. Price
Moore & Van Allen, PLLC
100 North Tryon Street, Suite 4700
Charlotte, NC 28202
Phone: (704) 331-1000
marknebrig@mvalaw.com

Counsel for Cable News Network

This, the 23rd day of November 2024.

/s/ Andrew L. Fitzgerald

Andrew L. Fitzgerald
North Carolina State Bar No. 31522
FITZGERALD HANNA & SULLIVAN, PLLC
119 Brookstown Ave., Suite 402
Winston Salem, NC 27101
Telephone/Fax: (336) 793-4365
andy@fhslitigation.com
Attorney for Defendant